

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FELIX SOSA, #185709,

Petitioner,

Case Number: 02-71797

Honorable Arthur J. Tarnow

v.

KURT JONES,

Respondent.

OPINION AND ORDER APPOINTING COUNSEL FOR PETITIONER

Petitioner, Felix Sosa, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, alleging that he is incarcerated in violation of his constitutional rights. In 2003, J. Philip Calabrese and the firm of Squire, Sanders & Dempsey of Cleveland, Ohio, were appointed to represent Petitioner by the Sixth Circuit pursuant to the Criminal Justice Act, and have handled his federal claims since then.

The Court acknowledges that there exists no constitutional right to the appointment of counsel in civil cases, and the Court has broad discretion in determining whether counsel should be appointed. *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987) (“[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right.”) (internal quotation omitted). A habeas petitioner may obtain representation at any stage of the case “[w]henever the United States magistrate or the court determines that the interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B). In the instant case, the Court determines, after careful consideration, that, in the interests of justice, the appointment of counsel at this time would benefit Petitioner.

Accordingly, pursuant to Section III(A)(4) of the Revised Plan for Implementing the Criminal Justice Act of 1964, as amended, 18 U.S.C. § 3006a, the Court **ORDERS** that J. Philip Calabrese and the firm of Squire, Sanders & Dempsey, 4900 Key Tower, 127 Public Square, Cleveland, Ohio, 44114, be appointed for Petitioner in this case until further order of the Court.

IT IS SO ORDERED.

s/Arthur J. Tarnow
Arthur J. Tarnow
United States District Judge

Dated: September 16, 2010

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on September 16, 2010, by electronic and/or ordinary mail.

s/Catherine A. Pickles
Judicial Secretary